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FEDERAL BUREAU OF INVESTIGATION
CORPORATE POLICY DIRECTIVE

0625D

1. Policy Directive Title.	FBI Seal Name Initials and Special Agent Gold Badge
2. Publication Date.	2013-07-12
3. Effective Date.	2013-07-12
4. Review Date.	2016-07-12

5. Primary Strategic Objective.

A4- Provide leadership, intelligence, and law enforcement assistance to our partners.

6. Authorities:

- 6.1. Title 18 United States Code (U.S.C.) Section (§) 701
- 6.2. Title 28 Code of Federal Regulations (CFR) § 0.146
- 6.3. 41 CFR § 128-1.5007
- 6.4. 41 CFR § 128-1.5009
- 6.5. 18 U.S.C. § 506
- 6.6. 18 U.S.C. § 1017
- 6.7. 18 U.S.C. § 709
- 6.9. 5 CFR Part 2635, Subpart G, "The Standards of Ethical Conduct for Employees of the Executive Branch."
- 6.10. DOJ Order 2510.15
- 6.11. Department of Justice (DOJ) Order 2400.3A, "Property Management," Chapter 4

7. Purpose:

7.1. The purpose of this directive is to establish the Federal Bureau of Investigation's (FBI's) policy and the responsibilities of FBI management and employees regarding (1) the use of the FBI's official seal; (2) the use of the FBI's name and initials in a manner that may indicate Bureau approval, endorsement, or authorization of a publication or production; and (3) the use of the FBI's special agent gold badge.

7.2. Public trust and confidence in the integrity of the FBI is of paramount importance in the performance of FBI missions. To FBI employees and to members of the general public, the FBI's name, seal, and special agent gold badge symbolize the proud traditions and core values that make the FBI a model for law enforcement agencies worldwide. The primary purpose of the FBI seal is to identify the official activities, documents, and communications of the Bureau to its partners in the private and public sectors and to the public at large. It is widely perceived as the FBI's stamp of approval. The FBI special agent gold badge serves primarily to identify the bearer as an FBI special agent with the authority to enforce federal law. Any use of the FBI's name, initials, seal, or FBI special agent gold badge in a manner that suggests improper endorsement or favoritism towards particular private, commercial, or political activities, or that may tend to mislead or confuse partner agencies or the

general public about the Bureau's official views and activities, may erode confidence in the FBI's even-handed execution of its missions and impair the effectiveness of the FBI.

8. Policy Statement

8.1. It is the FBI's policy to permit use of the FBI seal and the FBI special agent gold badge only in the public interest, when such use is not likely to mislead or confuse the public as to the FBI's official activities, suggest improper favoritism towards individuals or commercial enterprises, or otherwise discredit the FBI. Employees may only use the seal and the FBI special agent gold badge as authorized. They must take appropriate precautions to ensure that the seal and the FBI special agent gold badge are not used in a misleading manner and to prevent unauthorized reproduction and use by others. The FBI generally will not authorize use of its name, initials, seal, or special agent gold badge for commercial purposes, fundraising, or sales to the general public.

8.2. FBI employees must not use the FBI's name, initials, seal, or special agent gold badge in any manner that may reasonably appear to indicate the FBI's approval, endorsement, or authorization of any product, publication, advertisement, etc., unless specifically authorized to do so. The FBI will take appropriate action to prevent and deter misuse of its name, initials, seal, and special agent gold badge, which may include disciplinary action and referral for criminal prosecution in certain cases.

8.3. This policy extends to use of the FBI seal with the insignia of other government agencies in joint communications, as defined in this directive, if authorized by the cognizant FBI Headquarters (FBIHQ) division program manager. In most cases, use of any agency's insignia in a joint communication indicates that the communication has been adopted as a whole by each of the agencies whose insignia appears on it. Consequently, the FBI seal may only be used in joint communications that have been properly determined by FBI officials, in their entirety, to be accurate, appropriate, and consistent with applicable law and FBI policy. In addition, any division authorizing use of the FBI seal in joint communications must ensure that appropriate records are maintained to ensure accountability within the FBI.

8.4. FBI employees are prohibited from purchasing or possessing full-sized reproductions of the special agent gold badge, unless the division head authorizes the employee to do so for specific operational purposes. This authority may not be delegated. Possession of an unauthorized FBI badge or colorable imitation constitutes a federal crime under 18 U.S.C. § 701.

8.5. 18 U.S.C. § 701 prohibits the manufacture, sale, possession, photograph, printing, and in general, the use of agency insignia, which includes the FBI special agent gold badge and FBI seal (or any colorable imitation thereof), without authorization.

8.6. 28 CFR § 0.146 delegates authority to the Director to use the FBI seal for authentication purposes. Title 28 CFR § 0.146 also provides rulemaking authority to the assistant attorney general for administration.

8.7. 41 CFR § 128-1.5007 provides procedures and summarize decision criteria for requests to use the FBI seal. These decision criteria include:

- 8.7.1. The benefit or cost to the government of granting the request.
- 8.7.2. The unintended appearance of endorsement or authentication by the department.
- 8.7.3. The potential for misuse.
- 8.7.4. The effect upon departmental security.
- 8.7.5. The reputability of the use.
- 8.7.6. The extent of control by the department over the ultimate use.
- 8.7.7. The extent of control by the department over distribution of any products or publications bearing a Departmental seal.

8.8. 41 CFR § 128-1.5009 governs use of the FBI Anti-Piracy Warning (APW) seal by copyright holders.

8.9. 18 U.S.C. § 506 prohibits the false making of an agency seal or the possession of a false seal.

8.10. 18 U.S.C. § 1017 prohibits fraudulently or wrongfully placing the seal of any agency of the United States on a document, or using such a document.

8.11. 18 U.S.C. § 709 provides that neither the words "Federal Bureau of Investigation" nor the letters "F.B.I." nor any colorable imitation may be used in connection with any advertisement, circular, book, pamphlet or other publication, play, motion picture, broadcast, telecast, or other production in a manner reasonably calculated to convey the impression of Bureau approval, endorsement, or authorization. This applies unless written approval has been obtained from the FBI.

8.12. 5 CFR Part 2635, Subpart G, "The Standards of Ethical Conduct for Employees of the Executive Branch," generally prohibits the use of an employee's official position or authority to benefit or endorse the activities of private individuals or entities. Improper use of the FBI's name, seal, or special agent gold badge by government employees may constitute violation of these standards. Interpretation and advice concerning these regulations is provided by ethics counselors designated, as outlined in the FBI *Ethics and Integrity Program Policy Implementation Guide*.

8.13. DOJ Order 2610.1A, "DOJ Identification Documents," governs law enforcement identification badges.

8.14. DOJ Order 2400.3A, "Property Management," Chapter 4 governs departmental seals, logos, and other insignia.

9. Scope:

This policy applies to all FBI employees, as well as non-FBI employees working in association with the FBI including task force personnel, contractors, and detailees. This directive does not govern divisional logos that do not include or substantially resemble the FBI seal, or FBI identification badges other than the special agent gold badge. Note, however, that FBI divisional seals and similar organizational insignia may be subject to the requirements of DOJ Order 2400.3a, Chapter 4.

10. Proponent:

10.1. Science and Technology Policy & Law Unit, Office of the General Counsel

10.2. Security and Credentials Office

10.3. Human Resources Division

11. Roles and Responsibilities:

11.1. Delegations of Authority

11.1.1. The General Counsel is delegated the Director's authority regarding the use of the FBI name, initials, and seal, and may redelegate this authority to officials within the Office of the General Counsel. This authority is currently redelegated to the unit chief, Science and Technology Policy & Law Unit (STPLU). Except as specified in this directive, STPLU is primarily responsible for responding to requests to use the FBI name, initials and seal, and for initiating appropriate action to prevent and deter misuse of these indicia, which may include referral of matters to other divisions for appropriate investigative or prosecutorial action.

11.1.2. Division heads may approve use of the FBI seal for official FBI purposes in matters within their offices or divisions and official communications and documents issued by their divisions. This

delegation does not extend to authorizing use of the seal by other government or private entities except as stated in subsection 11.1.1. Division heads may not authorize use of the seal for morale or unofficial purposes.

11.1.3. Division heads of FBI headquarters divisions and offices may approve use of the FBI seal on joint communications, for communications related to their programs, in conjunction with other United States federal, state, local, tribal, or territorial government entities, provided they:

11.1.3.1. Establish appropriate controls and safeguards to address the requirements and considerations in Section 8.

11.1.3.2. Document authorizations to use FBI and the other entity's insignia. Joint communications issued with private entities, including not-for-profit organizations, must be authorized by OGC.

11.1.3 The assistant director (AD), Office of Public Affairs (OPA) may approve requests to use the FBI seal as set decoration in television, motion picture, video, and similar productions. The AD, OPA may also approve requests for use of the FBI's name, initials, and seal in other media whose content has been specifically reviewed and approved by the FBI (e.g., in public service announcements and official letters to the editor), but may not otherwise permit the seal, name, or initials to be used in any promotional materials concerning an external production, publication, or similar enterprise, without the concurrence of OGC.

11.1.4 The assistant director, Human Resources Division (HRD), has been delegated the Director's authority regarding the FBI special agent gold badge. This authority is administered by the HRD Credentials Unit. HRD is permitted to use the FBI seal when creating credentials.

11.1.5 The executive assistant director for the Criminal, Cyber, Response, and Services Branch may approve the use of the FBI APW seal, and may make determinations on behalf of the FBI pursuant to 28 CFR § 128-1.5009.

11.1.6. The foregoing authorities may be redelegated to an appropriate management official by written delegation. In exercising these authorities, officials should consider the factors listed in 41 § CFR 128-1.5007 and should consult with STPLU, as necessary, to ensure reasonable consistency in application of this policy.

11.6. Use of the FBI Seal by FBI Employees on Official Communications and Business Cards

11.6.1. FBI employees authorized to communicate on behalf of the FBI in their official capacity may include the seal image in such communications and presentations (e.g. on letterhead communications, training presentations, instructional materials, and business cards). Employees authorized to purchase items using FBI appropriated funds may purchase business cards, stationery, and forms incorporating the seal, for official FBI business use, subject to applicable acquisition requirements and the requirements of subsection 15.1. of this directive. FBI employees who are authorized to use business cards may also order business cards bearing the FBI seal, using personal funds, via the Washington Metropolitan FBI Recreational Association (FBIRA); see Section 12 of this directive. FBI employees may not otherwise authorize the printing of cards or stationery bearing the FBI seal.

11.7. Except as delegated in this directive, requests to use the seal may only be approved by OGC or pursuant to a specific written delegation of authority from OGC. Requests should address the factors listed in 41 CFR § 128-1.5007 and be routed for concurrence via the cognizant office or division for endorsement prior to submission to STPLU.

11.8. Protection of the FBI Seal and FBI Special Agent Gold Badge from Unauthorized Use

11.8.1. Any FBI employee authorized to procure items bearing the FBI seal and the FBI special agent gold badge must include appropriate provisions to ensure that the seal and FBI special agent gold badge is not used for unauthorized purposes and that the contractor or manufacturer is notified of the statutory restrictions on unauthorized use. This should include a specific statement that the seal and the FBI special agent gold badge may not be used in any advertisement or on any product other than those procured, and that all images of the seal and the FBI special agent gold badge must be

destroyed or returned to the FBI when the seal and the FBI special agent gold badge is no longer needed for the purposes authorized.

11.8.2. Precautions must also be taken any time the seal is used in media that may allow easy copying and use of the image by unauthorized persons, such as the Internet. To the extent feasible, any image of the seal and the FBI special agent gold badge in such media should be formatted to prevent or discourage electronic copying by, for example, flattening, rearticulating, and/or using a low resolution for the image. Employees who are unfamiliar with these techniques may seek information from their division's visual information officer or the FBI.gov and Internet Operations Unit, Office of Public Affairs.

11.8.3. FBI employees who become aware of a use of the FBI seal, name, initials, or special agent gold badge in violation of the Title 18 statutes cited in Section 6 of this PG should refer the matter to the unit chief, STPLU, OGC, who may seek informal resolution or forward the matter to an FBIHQ or field office for investigation, as appropriate.

11.9. FBI special agent gold badges remain the property of the United States Government and HRD may only produce the gold badges. Upon the retirement of a special agent from the FBI, HRD may arrange for the agent's gold badge to be mounted on a recognition plaque for the retiree for display purposes.

12. Exemptions:

12.1. The Director has authorized the Washington Metropolitan FBIRA to use the FBI name initials, seal, and special agent gold badge, on merchandise manufactured for sale by FBIRA organizations to current and former FBI employees, their families, and special guests of the Bureau. In addition, the assistant director, Training Division, has been authorized to approve the use of the FBI name, initials, seal, and seal, and special agent gold badge, on merchandise sold at the FBI Academy, Quantico, Virginia. Restriction of such authority to these entities reduces the burden on the FBI of monitoring such uses and helps to limit the potential for unauthorized or inappropriate use. These authorizations do not permit end purchasers of such items to auction or otherwise re-sell such items for profit, nor permit any vendor authorized to manufacture such items to use FBI indicia for marketing or for any other purpose. FBIRA organizations must procure all merchandise bearing the FBI name, initials, seal, or special agent gold badge through the Washington Metropolitan FBIRA as indicated in Corporate Policy Directive (CPD) 0465D, *FBI Recreational Associations*.

13. Supersession:

Corporate Policy Directive 0266D, *FBI Seal, Name, Initials, and Special Agent Gold Badge*

14. References, Key Words, and Links:

14.1. Key words

14.1.1. FBI seal

14.1.2. Indicia

14.1.3. Insignia

14.1.4. Name and initials

14.1.5. Endorse

14.1.6. Endorsement

14.1.7. Merchandise

14.1.8. Business card

14.1.9. Logo

14.1.10. Special agent gold badge,

14.1.11. FBIRA

14.1.12. Joint communication,

14.1.13. Anti-Piracy Warning (APW) seal.

14.2. Links

14.2.1. FBI *Ethics and Integrity Program Policy Implementation Guide*

14.2.2. Heraldry of the FBI Seal

14.2.3. Corporate Policy Directive 0465D, FBI *Recreational Association*

14.2.3. References

14.2.3.1. U.S. DOJ Graphic Standards Manual, 1994

14.2.3.2. FBI *Credentials, Special Agent Gold Badges, and Qualified Separated Law Enforcement Officers ID Card* Directive and Policy Implementation Guide

15. Definitions:

15.1. FBI seal: the official seal of the FBI, as shown on the first page of this directive and in the attached images, whether rendered in color, outline, grayscale, relief, etc; and including any reproduction, image, or colorable imitation thereof.

15.2. APW seal: image approved by the Attorney General as an official insignia of the FBI, consisting of a modified version of the FBI seal with the words FBI Anti-Piracy Warning superimposed (see attachment).

15.3. FBI special agent gold badge: the official law enforcement identification badge.

15.4. Division head: assistant directors of FBIHQ and field offices, heads of FBIHQ offices reporting to the deputy director or associate deputy director, special agents in charge, and officials senior to them.

15.5. Joint communication: any written communication, including but not limited to advisories, notices, bulletins, intelligence products, presentations, etc., bearing the official FBI seal (including any colorable imitation or image incorporating the FBI Seal) and the name or insignia of one or more non-FBI organizations, in a manner indicating that the FBI and other organizations have sponsored, approved, or endorsed the communication. Joint communications include documents distributed by the FBI and by non-FBI organizations, whether in hard copy or electronic form.

16. Appendices, Attachments, and Forms:

16.1. FBI seal images

16.2. APW seal image

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